EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 3

DOCKET NO.: 2007-1056-PWS-E **TCEQ ID**: RN101228609 **CASE NO.**: 34103

RESPONDENT NAME: Tall Oaks Estates Water System

ORDER TYPE:		
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
X PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
SITE WHERE VIOLATION(S) OCCURR TYPE OF OPERATION: Public water sup	ED: Tall Oaks Estates Water System, 1812 County	Road 2403, Van Zandt County
SMALL BUSINESS: X Yes	No	
OTHER SIGNIFICANT MATTERS: Two hours and it was dirty/muddy. There is no re	complaints were received on May 20 and 21, 2007, cord of additional pending enforcement actions rega	alleging the water was turned off for several rding this facility location.
INTERESTED PARTIES: Complaints were Agenda.	e received but the complainant has not expressed the	e desire to protest this action or speak at
COMMENTS RECEIVED: The Texas Reg	ister comment period expired on March 10, 2008. N	No comments were received.
Bryan Sinclair, Enforcement Divisi Respondent: Mr. Ed Smith, Presid	: Mr. Tel Croston, Enforcement Division, Enforcem	

RESPONDENT NAME: Tall Oaks Estates Water System

DOCKET NO.: 2007-1056-PWS-E

VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS VIOLATION INFORMATION PENALTY CONSIDERATIONS TANDANGS SACRAST SACRAST TAKEN/REQUIRED and Z Type of Investigation: Total Assessed: \$1,312 **Corrective Actions Taken:** X Complaint ___ Routine 1) The Executive Director recognizes that Total Deferred: \$262 Enforcement Follow-up the Respondent issued a boil water notice X Expedited Settlement Records Review to all customers after 5:00 p.m. on May 21, 2007. __Financial Inability to Pay Date of Complaints Relating to this Case: May 20 and 21, 2007 **Ordering Provisions:** SEP Conditional Offset: \$0 Date of Investigation Relating to this Total Paid to General Revenue: \$1,050 2) The Order will require the Respondent Case: May 21, 2007 Site Compliance History Classification Date of NOE Relating to this Case: June __ High __ Average __ Poor a) Immediately upon the effective date of 15, 2007 (NOE) this Agreed Order, begin completing Person Compliance History Classification service inspection certifications prior to Background Facts: This was a complaint High Average Poor providing continuous water service to new investigation. construction, on any existing service when Major Source: ___ Yes X No the water purveyor has reason to believe WATER that cross-connections or other Applicable Penalty Policy: September 2002 unacceptable plumbing practices exist, or 1) Failure to meet the minimum well after any material improvement, capacity requirement of 1.5 gallons per correction, or addition to the private minute ("gpm") per connection [30 Tex. plumbing facilities; ADMIN. CODE § 290.45(b)(1)(A)(i) and Tex. Health & Safety Code § 341.0315(c)]. b) Within 30 days after the effective date of this Agreed Order: 2) Failure to meet a pressure tank capacity of 50 gallons per connection for a water i. Submit written certification and include system without ground storage [30 Tex. detailed supporting documentation ADMIN. CODE § 290.45(b)(1)(A)(ii) and including photographs, receipts, and/or TEX. HEALTH & SAFETY CODE other records to demonstrate compliance § 341.0315(c)]. with Ordering Provision 2.a.; and 3) Failure to provide a sanitary control easement or an approved exception to the ii. Employ a water works operator who easement requirement that covers the land holds a minimum of a Class "D" license. within 150 feet of the water system's wells [30 Tex. Admin. Code § 290.41(c)(1)(F)]. c) Within 60 days after the effective date of this Agreed Order: 4) Failure to issue a boil water notice within 24 hours after the loss of distribution pressure. Specifically, i. Submit written certification of distrubution pressure was lost at compliance and include detailed approximately 5:00 p.m. on May 20, 2007. supporting documentation including Boil water notice was not given until after photographs, receipts, and/or other records 5:00 p.m. on May 21, 2007 [30 TEX. to demonstrate compliance with Ordering ADMIN. CODE § 290.46(q)(2) and TEX. Provision 2.b.ii.; and HEALTH & SAFETY CODE § 341.036]. 5) Failure to issue a customer service ii. Obtain sanitary control easements covering all property within 150 feet of inspection certificate prior to providing continuous water service [30 Tex. ADMIN. each well location from adjacent landowners and record the deeds at the CODE § 290.46(j)].

RESPONDENT NAME: Tall Oaks Estates Water System

DOCKET NO.: 2007-1056-PWS-E

6) Failure to ensure that the public water supply operation is under the direct supervision of a water works operator who holds a minimum of a Class "D" license [30 Tex. ADMIN. CODE § 290.46(e)(4)(A) and Tex. Health & Safety Code	d) Within 90 days after the effective date of this Agreed Order:
§ 341.033(a)].	i. Submit written certification of compliance and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.c.ii.;
	ii. Provide a well capacity of 1.5 gpm at the Facility; and
·	iii. Provide a pressure tank capacity of 50 gallons per connection at the Facility.
	e) Within 105 days after the effective date of this Agree Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.d. The certification shall be notarized by a State of Texas Notary Public.

Additional ID No(s).: 2340033

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Policy Revision 2 (Sept	Penalty Calculation	n Worksheet (P	•	June 26, 2007
TOTAL POINT NEVISION 2 (SEPT	ember 2002)		FOW Revision	Julie 20, 2007
DATES Assigned	18-Jun-2007			K.S.F. S * * * * * * * * * * * * * * * * * *
PCW	28-Jun-2007 Screening 2-Jul-2007	EPA Due]	C. 16.
WANTED WAY A THE RESIDENCE AND A STATE OF THE STATE OF TH	4.00			
RESPONDENT/FACILITY			a consistence of the second state of	
	Tall Oaks Estates Water System	w in the second		
Reg. Ent. Ref. No.				
Facility/Site Region	5-Tyler	Major/Minor Source	Minor	
CAGE INFORMATION		***		
CASE INFORMATION	34103	N	6	-
Enf./Case ID No.	2007-1056-PWS-E	No. of Violations		-
	Public Water Supply	Order Type Enf. Coordinator		-
Multi-Media	Tublic Water Suppry		EnforcementTeam 2	-
Admin. Penalty \$ L	imit Minimum \$50 Maximum	\$1,000	Emorcement cam 2	<u> </u>
	- International 400 International	Ψ1,000	And the state of t	one and the second seco
	Penalty Calculat	tion Section		
	222 - 23.02 - 23.03.03.03.03.03.03.03.03.03.03.03.03.03			
TOTAL BASE PENAL	.TY (Sum of violation base penalties	S)	Subtotal 1	\$1,250
ADJUSTMENTS (+/-)				
THE THE PART OF THE SECOND STREET, AND A SECOND SHOP IN	ned by multiplying the Total Base Penalty (Subtotal 1) by t	and the contract of the contra		
Compliance Histo	ory 5%	Enhancement Subt	otals 2, 3, & 7	\$62
	The Respondent was issued one same or	similar Notice of Violation		
Notes	("NOV") at this site in the pas			
	(itter) fat and one in the page			
Outpakiliti	No. 12 March 1971 Annual Control		0	¢n
Culpability	No 0%	Enhancement	Subtotal 4	\$0
Notes	The Respondent does not meet the	culpability criteria		
.,0.55				
			- 	
Good Faith Effort		Reduction	Subtotal 5	\$0
	Before NOV NOV to EDPRP/Settlement Offer			
Extraordinary				
Ordinary N/A	V (month with v)			
IN/A	X (mark with x)		7	
Notes	The Respondent does not meet the	good faith criteria.		
			<u>'</u>	
	0.000		Subtotal 6	\$0
		Enhancement* at the Total EB \$ Amount	Subtotal 6	Ψυ
Approx.	Cost of Compliance \$31,300	at the Yolar EB \$7 mount		
SUM OF SUBTOTALS	S 1-7		Final Subtotal	\$1,312
******	and a second of the control of the c	\$ \$1000 978 A 2 300 PMC TRANSLAB BRITISHED - 1225 17 11 11 11 11 11 11 11 11 11 11 11 11	The Committee of the American	·
OTHER FACTORS AS	S JUSTICE MAY REQUIRE		Adjustment	\$0
Reduces or enhances the Final S	ubtotal by the indicated percentage. (Enter number only;	e.g30 for -30%.)		
			1	
Notes	[[기술] [[실급] [기 기 기 기 기 기 기 기 기 기 기 기 기 기 기 기 기 기 기			
		Final Pe	nalty Amount	\$1,312
	A STATE OF THE STA			
STATUTORY LIMIT A	NDJUSTMENT	Final Asse	essed Penalty	\$1,312
	militare melene vil viele amerikan militeri i sulatera i See Titologici i i toto toto melektuasia <u>araba wak</u> Tito		www.nanna	· · · · · · · · · · · · · · · · · · ·
DEFERRAL		20% Reduction	Adjustment	\$262
	alty by the indicted percentage. (Enter number only; e.g.	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	* * * * * * * * * * * * * * * * * * *	, ,
			1	
Notes	Deferral offered for expedited	settlement.		
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		<u>Characteristics of the control of t</u>	1	
PAYABLE PENALTY				\$1,050
	- Tengen - A., A., A.		242. C. C. C. C. C. C. C. C. C. SECH MESSA	Ψ1,000

Screening Date 2-Jul-2007

Docket No. 2007-1056-PWS-E

PCW

Respondent Tall Oaks Estates Water System

Case ID No. 34103

Policy Revision 2 (September 2002)
PCW Revision June 26, 2007

Reg		ence No. RN101228609 [Statute] Public Water Supply		• ၌ y 1 re*	
		ordinator Tel Croston		, in eqy to the	
		Compliance History Worksheet			
Comp	ollance History Component	Site Enhancement (Subtotal 2)		Adjust	
	NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	Enter Number Here	Adjust.	
		Other written NOVs	0	0%	
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%	
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		0%	
	Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)		0%	
	and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%	
	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%	
	Emissions	Chronic excessive emissions events (number of events)	0	0%	
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%	
		Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	Ô	0%	
		Plea	se Enter Yes or No		
		Environmental management systems in place for one year or more	No	0%	•
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	, No	0%	
		Participation in a voluntary pollution reduction program	No	0%	
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
		Adjustment F	Percentage (S	ubtotal 2)	5%
Repe	at Violator (Su	btotal 3)			6 35 M64 7 West 197
	N/A	Adjustment F	Percentage (S	ubtotal 3) [0%
Comp	oliance History	Person Classification (Subtotal 7)			r Pviji
	N/A	Adjustment F	Percentage (S	ubtotal 7) [0%
Comp	oliance History	Summary			E SE
:	Compliance History Notes	The Respondent was issued one same or similar Notice of Violation ("NOV") at this site in years.	the past five		
	•		<u> </u>	J _	

S	Screening Date	2-Jul-2007	The second secon	D	ocket No	. 2007-1056-PWS-E		PCW
	Respondent	Tall Oaks Esta	ates Water Sy	/stem			Policy Res	vision 2 (September 2002)
	Case ID No.	34103					PC	W Revision June 26, 2007
Reg. Ent.	Reference No.	RN101228609	€					
D	Media [Statute]	Public Water S	Supply					
En	rf. Coordinator	Tel Croston						
,	Violation Number	1						
	Rule Cite(s)	30 Tev	Admin Code	8 290 45(b)(1	VAVi) and	Tex. Health & Safety Code §		60-00-00-00-00-00-00-00-00-00-00-00-00-0
	Rule Offe(3)	30 167.	Admin. Code		.0315(c)	Tox. Floatin & Galety Gode S		
		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1						
							6.75	
						ement of 1.5 gallons per minu		
Viol	ation Description					ply currently produces 60 gpi		
		system with	45 connection	ns snoula prod	iuce 67.5 g	pm, indicating an 11% deficie	ency.	
					70 10 10			
						Base Po	enalty	\$1,000
	il b		Llaalth Mat	-1	25 2 2 43			
>> Environme	ntal, Property a	inu numan	nealth Mat Harm	rix .	100			atentior(pg)
	Release	Major	Moderate	Minor				Address of the Control of the Contro
OR	Actual							and the state of t
	Potential		х			Percent 10%		ed glass came
>>Programma				5 1 22				
	Falsification	Major	Moderate	Minor	1			
						Percent 0%		
5 44								
Matr	rix Without suffi	cient well capa	city, custome	rs of the wate	r system co	ould experience water outage	s and	
Note	es the s	system's ability	to provide a	safe and adec	luate water	supply could be impaired.		
	<u>Linear and a second a second and a second a</u>							S. Later and S. La
Life Edward	李海猫 謎	A 11 5 4		180 %	48.83	Adjustment	\$900	Appendix
	<u> </u>							
							L	\$100
Violation Even	de la	* * 1 £		74 E 150 E	5 2 2			
Violation Ever	II.5	M EBS		12 KA 1840 F.	M: 图: A			earn and a second
	Number of Vic	lation Events	1		42	Number of violation days		
		_				-		
	-	daily						
		monthly						0.00
	mark only one with an x	quarterly	X			Violation Base P	enalty	\$100
	with an X	semiannual annual		-			•	
		single event						·
		single event		l				and the second s
								E
	One quarterly	y event is reco		m the date of reening, July 2		gation, May 21, 2007, to the d	ate of	
00.000		· · · · · · · · · · · · · · · · · · ·	30	reening, only 2	E, 2007.			
	-		od darko kortustan					
Economic Ber	nefit (EB) for th	is violation	E .			Statutory Limit Test		
	Fetimato	d EB Amount		\$604	1	Violation Final Penalty	, Total	\$105
X	Estimated	י בה עוווחמוונ		ψ004	J	violation Fillal Fellalty	· · · · · ·	Ψ100
			T	his violation	Final Asse	ssed Penalty (adjusted for	limits)	\$105
	5.5 SE EL ESA				4 1 2 2 2 1		32 94 6	

		conomic l	Benefit W	orks	heet	27.00	The second second
Respondent	CZZNACOWENIEROWNOWNEZ CARCO WO POSICIO POSICI	tes Water System	nebec -	66 B.H.Z	entropia anti-colore (v. 17-17-17-1		
Case ID No.	34103					Tallian Transition	
Reg. Ent. Reference No.					1 - 16, in 2	$= \{ \{ (x_1, x_2, x_3) : x_2 \in \mathcal{C}_{p,q}(x_3) \} \}$	
	Public Water S	upply			the state of the state of		Years of
Violation No.		app.y				Percent Interest	Depreciation
Violation 140.			in College Co. (Co. St.)	illa fine in	A THE RESIDENCE OF		
						[:::20 n ≥ 5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$					10.	
			*/				
Delayed Costs	The Sales Tools		345.45		California de la companya de la comp	100	
Equipment				0.0	\$0	l \$0	\$0
Buildings	BETTER ALTERA	Zesta Marine de la	91931116	0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0.00	\$0
Engineering/construction	\$10,000	21-May-2007	31-Mar-2008	0.9	\$29	\$575	\$604
Land				0,0	\$0	n/a	\$0
Record Keeping System		100		0,0	\$0	N n/a	\$0 .
Training/Sampling				0.0	\$0	Shutton/a	\$0
Remediation/Disposal		2.77		0.0	\$0	n/a	\$0
Permit Costs		10.77	A Company of the Comp	0.0	\$0	n/a	\$0
Permit Costs Other (as needed)				0.0	\$0 \$0	n/a n/a	\$0 \$0
Other (as needed) Notes for DELAYED costs		calculated from the	ne date of the inves	0.0 ninimum stigation	\$0 well capacity request to the estimated	uirement of 1.5 gpm date of compliance.	\$0 per connection,
Other (as needed) Notes for DELAYED costs Avoided Costs		calculated from the	ne date of the inves	0.0 ninimum stigation ntering	well capacity required to the estimated litem (except for	uirement of 1.5 gpm date of compliance.	\$0 per connection,
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal		calculated from the	ne date of the inves	0.0 ninimum stigation ntering 0.0	\$0 well capacity required to the estimated litem (except for \$0	uirement of 1.5 gpm date of compliance.	\$0 per connection,
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel		calculated from the	ne date of the inves	0.0 ninimum stigation ntering 0.0 0.0	well capacity required to the estimated litem (except for \$0 \$0	ulfrement of 1.5 gpm date of compliance.	\$0 infinition per connection, sit costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling		calculated from the	ne date of the inves	0.0 ninimum stigation ntering 0.0 0.0	well capacity required to the estimated litem (except for \$0 \$0 \$0	uirement of 1.5 gpm date of compliance.	\$0 connection, per connection, sit costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS DIsposal Personnel Inspection/Reporting/Sampling Supplies/equipment		calculated from the	ne date of the inves	0.0 ninimum stigation ntering 0.0 0.0 0.0	well capacity required to the estimated item (except for \$0 \$0 \$0 \$0	irement of 1.5 gpm date of compliance.	\$0 ////
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		calculated from the	ne date of the inves	0.0 ninimum stigation ntering 0.0 0.0 0.0 0.0 0.0	well capacity required to the estimated item (except for \$0 \$0 \$0 \$0 \$0	uirement of 1.5 gpm date of compliance.	\$0 per connection, \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS DIsposal Personnel Inspection/Reporting/Sampling Supplies/equipment		calculated from the	ne date of the inves	0.0 ninimum stigation ntering 0.0 0.0 0.0	well capacity required to the estimated item (except for \$0 \$0 \$0 \$0	irement of 1.5 gpm date of compliance.	\$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		calculated from the	ne date of the inves	0.0 ininimum stigation ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	well capacity required to the estimated item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	uirement of 1.5 gpm date of compliance. so	\$0 per connection, sosts) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		calculated from the	ne date of the inves	0.0 ininimum stigation ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	well capacity required to the estimated item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	uirement of 1.5 gpm date of compliance. so	\$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]		calculated from the	ne date of the inves	0.0 ininimum stigation ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	well capacity required to the estimated item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	uirement of 1.5 gpm date of compliance. so	\$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)		calculated from the control of the c	ne date of the inves	0.0 ininimum stigation ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	well capacity required to the estimated item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	uirement of 1.5 gpm date of compliance. so	\$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS DISPOSAI Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs		calculated from the	ne date of the inves	0.0 ininimum stigation ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	well capacity required to the estimated item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	uirement of 1.5 gpm date of compliance. so	\$0

Screening Date	2-Jul-2007	Docket No. 2007-1056-PWS-E	PCW
Respondent	Tall Oaks Estates Water System	Policy R	Revision 2 (September 2002)
Case ID No.		P	CW Revision June 26, 2007
Reg. Ent. Reference No.	RN101228609		
Media [Statute]	Public Water Supply		
Enf. Coordinator			
Violation Number	1		,
Rule Cite(s)	30 Tex. Admin. Code § 290.45(b)(1)(A))(ii) and Tex. Health & Safety Code § 341.0315(c)	
Violation Description	connection for a water system without total pressure tank capacity is 1,200 ga	e tank capacity requirement of 50 gallons per ground storage. Specifically, the systems current allons. A system with 45 connections should have lons, indicating a 47% deficiency.	
		Base Penalty	\$1,000
>> Environmental, Property a	and Human Health Matrix		
Delege	Harm Major Madarata Minor	•	
Release OR Actual		-	
Potential	X	Percent 10%	
>>Programmatic Matrix			
Falsification	Major Moderate Minor		
		Percent 0%	
		ers of the water system could experience water and adequate water supply could be impaired.	4.1
		Adjustment \$900	1
		, rajastnent	<u>.</u>
			\$100
Violation Events			
Number of Vic	plation Events 1	42 Number of violation days	
Number of vic	nation Events	14diffuel of violation days	
	daily		
	monthly		
mark only one	quarterly <u>x</u>	Violation Base Penalty	\$100
with an x	semiannual	5	
	annual single event		
	Single event		
One quarter	ly event is recommended from the date screening, Jul	of the investigation, May 21, 2007, to the date of ly 2, 2007.	The second secon
Economic Benefit (EB) for th	is violation	Statutory Limit Test	
Estimate	d EB Amount \$60	Violation Final Penalty Total	\$105
	This violation	on Final Assessed Penalty (adjusted for limits)	\$105

	E E	conomic I	Benefit W	orks	heet		
Respondent	Tall Oaks Estaf	tes Water System	and the second s	and and because of a	a die chierante de marie anno construir en la companya de la companya de la companya de la companya de la comp	ing a set of the contraction of	Property of the Control of the Contr
Case ID No.					6" -		
Reg. Ent. Reference No.	RN101228609					ALL AND THE LAND	yr.
-	Public Water S	unnly					Years of
Violation No.		ирріу				Percent Interest	Depreciation
violation No.				(Araman), NO		1.9	Dehreciation
						5.0	11
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$		constitutions.				
	STREET	TO A TO A SAFETY OF THE PARTY O	e transferrier (1996) en gemeiner i i i i i i i i i i i i i i i i i i i	60K.54E.99K.1.25E.3546		POWER CONTRACTOR STATE OF THE PERSON OF THE	
Delayed Costs	TABLE S			100			
Equipment				0.0	\$0	\$0	\$0
Buildings	7.11.7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		Compression and the control	0.0	\$0	\$0::	\$0
Other (as needed)		* / / / / / / / / / / / / / / / / / / /	A CONTRACTOR OF THE PARTY OF TH	0.0	\$0	\$0	\$0
Engineering/construction	\$10,000	21-May-2007	31-Mar-2008	0.9	\$29	\$575	\$604
Land	Ψ10,000	I Z I IVIQY ZOO7	O F War 2000	0,0	· \$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	TENCH CONTRACTOR		Control of the Contro	0.0	\$0	n/a	\$0
Other (as needed)		1		0.0	\$0	n/a	φ0 \$0
			1000		Y.		
			ensalinada later la latera Palari Direct				wastern stores with the
Notes for DELAYED costs			ount to meet the r				
Notes for DELAYED costs						pacity requirement on nated date of compli	
***************************************	conr	nection, calculated f	rom the date of th	e investi	gation to the estir	nated date of compli	ance.
Avoided Costs	conr	nection, calculated f	rom the date of th	e investi ntering	gation to the estir	nated date of compli one-time avoided o	ance. costs)
***************************************	conr	nection, calculated f	rom the date of th	e investi	gation to the estir	nated date of compli	osts) \$0
Avoided Costs Disposal Personnel	conr	nection, calculated f	rom the date of th	ntering 0.0 0.0	gation to the estir	nated date of compliance one-time avoided of \$0 \$0	osts) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	conr	nection, calculated f	rom the date of th	ntering 0.0 0.0 0.0	gation to the estir	nated date of complione-time avoided of \$0 \$0 \$0	sosts) \$0 . \$0 . \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	conr	nection, calculated f	rom the date of th	ntering 0.0 0.0	gation to the estir	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	conr	nection, calculated f	rom the date of th	ntering 0.0 0.0 0.0 0.0 0.0	gation to the estir	nated date of compliance date of compliance avoided of \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	conr	nection, calculated f	rom the date of th	ntering 0.0 0.0 0.0 0.0	gation to the estir	one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	conr	IUALIZE [1] avoide	rom the date of th	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	gation to the estir	nated date of compliance date of compliance avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	conr	IUALIZE [1] avoide	rom the date of the	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	gation to the estir	nated date of compliance date of compliance avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	conr	IUALIZE [1] avoide	rom the date of the	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	gation to the estir	nated date of compliance date of compliance avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	conr	IUALIZE [1] avoide	rom the date of the	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	gation to the estir	nated date of compliance date of compliance avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	conr	IUALIZE [1] avoide	rom the date of the	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	gation to the estir	nated date of compliance date of compliance avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	conr	IUALIZE [1] avoide	rom the date of the	ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	gation to the estir	nated date of compliance date of compliance avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	2-Jul-2007 Docket No. 2007-1056-PWS-E	PCW
Respondent	Tall Oaks Estates Water System Police	y Revision 2 (September 2002)
Case ID No.	34103	PCW Revision June 26, 2007
Reg. Ent. Reference No.		
	Public Water Supply	•
Enf. Coordinator		
Violation Number		· · · · · · · · · · · · · · · · · · ·
Rule Cite(s)	30 Tex. Admin. Code § 290.41(c)(1)(F)	
Violation Description	Failed to provide a sanitary control easement or an approved exception to the easemer requirement that covers the land within 150 feet of the water system's wells. Specifically, at the time of the investigation, there were no sanitary control easement for wells 1 and 2.	#. I
	Base Pena	lty \$1,000
>> Environmental, Property a	ınd Human Health Matrix	
	Harm	· \
Release	Major Moderate Minor	
OR Actual		
Potential	x Percent 5%	
>>Programmatic Matrix		
Falsification	Major Moderate Minor	
7 1	Percent 0%	
Matrix Notes Without a s supply could	anitary control easement, contaminants could enter the well and customers of the wate be exposed to insignificant amounts of contaminants that do not exceed levels protecti of human health.	r ve
	Adjustment \$9	50
•		
0.000	·	\$50
Violation Events		
Number of Vic	olation Events 2 42 Number of violation days	
Number of Vic	Tulibor of violation days	
	daily	
	monthly	-
mark only one	quarterly Violation Base Pena	lty \$100
with an x	semiannual	
reconstruction	annual single event x	
	single event x	
		7
	Two single events are recommended (one event per well).	
Economic Benefit (EB) for th	is violation Statutory Limit Test	
Estimated	d EB Amount \$7 Violation Final Penalty To	tal \$105
and the same of th		
A A A A A A A A A A A A A A A A A A A	This violation Final Assessed Penalty (adjusted for limi	ts) \$105

Case ID No.		tes Water System			# kadian (ka a ili) da	le i vi strave sen Beros strave sensit	, ; }
Reg. Ent. Reference No.					de sonidia est.	r Light organisative fini	
	Public Water S						Years of
Violation No.						Percent Interest	Depreciation
	Batha a		10.0000		A Marine Land Co.	5.0	. 15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$			100 S		EST	
Delayed Costs					priesa likalikasi sasila	- Progress	
Equipment		1	province of the state of the st	0,6	\$0	\$0	\$0
Buildings	The state of the s		THE RESERVE OF THE PROPERTY OF THE PARTY.	0.0	\$0	\$0	\$0
Other (as needed)	and the state of t	50 C C C C C C C C C C C C C C C C C C C		0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling				0,0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)	\$200	21-May-2007	31-Jan-2008	0.7	\$7	n/a:	\$7
	Miles alsots a		and the state of		· i		processor (Contraction)
Notes for DELAYED costs						s or exceptions to th nated date of compl	
Notes for DELAYED costs Avoided Costs	requ	irement, calculated	from the date of t	në inves	tigation to the estin		lance.
	requ	irement, calculated	from the date of t	në inves	tigation to the estin	nated date of compl	lance.
Avoided Costs	requ	irement, calculated	from the date of t	ne inves	tigation to the estin	nated date of compl cone-time avoided c	iance. osts)
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	requ	irement, calculated	from the date of t	ntering 0.0 0.0 0.0	item (except for \$0 \$0 \$0	nated date of compl one-time avoided c \$0 \$0 \$0	osts) \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment	requ	irement, calculated	from the date of t	ne inves	item (except for \$0 \$0 \$0 \$0 \$0	mated date of complete in the	osts) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]	requ	irement, calculated	from the date of t	ne inves	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	nated date of complete the second sec	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment	requ	irement, calculated	from the date of t	ne inves	itigation to the estination to the estination to the estination in the estination is consistent to the e	nated date of compl	sance. \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]	requ	irement, calculated	from the date of t	ne inves	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	nated date of complete the second sec	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	requ	irement, calculated	from the date of t	ne inves	itigation to the estination to the estination to the estination in the estination is consistent to the e	nated date of compl	sance. \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	requ	irement, calculated	from the date of t	ne inves	itigation to the estination to the estination to the estination in the estination is consistent to the e	nated date of compl	sance. \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplles/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	requ	irement, calculated	from the date of t	ne inves	itigation to the estination to the estination to the estination in the estination is consistent to the e	nated date of compl	sance. \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	2-Jul-2007 Docket No. 2007-1056-PWS-E	PCW
Respondent	Tall Oaks Estates Water System Policy R	Revision 2 (September 2002)
Case ID No.		PCW Revision June 26, 2007
Reg. Ent. Reference No.		***************************************
	Public Water Supply	
Enf. Coordinator		
Violation Number		
Rule Cite(s)	30 Tex. Admin. Code § 290.46(q)(2) and Tex. Health & Safety Code § 341.036	Constitutions and see
Violation Description	Failed to issue boil water notices within 24 hours after the loss of distribution pressure. Specifically, the water was turned off at 5:00 pm on May 20, 2007 to repair a line break. Water was restored later that evening and some flushing was done. No boil water notices were issued until after 5:00 pm on May 21, 2007 when the investigator supplied the notices and insisted that it be done immediately.	
	Base Penalty	\$1,000
>> Environmental, Property a	nd Human Health Matrix	· -
	Harm	·
Release	Major Moderate Minor	ah esatava
OR Actual		una-accept
Potential	x Percent 25%	
>>Programmatic Matrix		- was
Falsification	Major Moderate Minor	danament
	Percent 0%	
		m (manadada)
	ssue a boil water notice could result in customers of the water supply being exposed to mounts of contaminants which would exceed levels that are protective of human health.	
	Adjustment \$750	1
77 F. C. L. C.	Adjustifierie \$7.50	(
		\$250
		1001
Violation Events	and that the first of the first of the second of the secon	
Number of Vio	plation Events 1 Number of violation days	Other relations
		,
	daily	and the second s
	monthly	
mark only one with an x	quarterly Violation Base Penalty	\$250
with an X	semiannual annual	e de la companya del companya de la companya del companya de la co
	single event x	
	Single event X	900000
		The second secon
	One single event is recommended.	
Economic Benefit (EB) for th	is violation Statutory Limit Test	
Estimated	I EB Amount \$0 Violation Final Penalty Total	\$262
	This violation Final Assessed Penalty (adjusted for limits)	\$262

		tes Water System	11111111	· arregion	Page Cappy ()		
Case ID No	V				- 1447		en De la servición de la companya de l
Reg. Ent. Reference No.	68				Current to the Current to the		
	i Public Water S	upply				Percent Interest	Years of
Violation No.	. 4	or and the second secon	er	SheSarproveRooved :			Depreciation
				A. State		5,0	\$65.5° 15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$	Talani () i ya	THE PERSON	etti ki	iliniwa kon UC		A. K. S.
			A. M. Carlotte and	Total State of the	The state of the s	305309 (1 1530-9010-1151-1151-1250-2900-9	A TOTAL STREET,
Delayed Costs	1960,000		San in the second to		or and the Softe	iril	36
Equipment	La transfer		The second secon	0.0	\$0	\$0	\$0
Bulldings	125.00		terstropping that office	0.0	\$0	4y \$ 0	\$0
Other (as needed)	and the same	(4)	\$ 1, 2 DI T V V I	0.0	\$O	\$0	\$0
Engineering/construction				0.0	\$0	.' \$ 0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	Control of the Albert			0,0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a 🚐 💝	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs		the same of the same same same same same same same sam	the common execution for the page of	0.0	60	the same of the sa	00
00010	the American Symptom of the Section	Carried and confidence of the	Co. 11 (14) co. 1 (a) (a) (14) (14) (17)		\$0	n/a	\$0
Other (as needed)	\$500	20-May-2007	21-May-2007	0.0	\$0	— n/a — °	\$0
Other (as needed) Notes for DELAYED costs	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	0.0 to provid of the v	\$0 de all customers of lolation to the date	the water supply will of compliance.	\$0 th a boil water
Other (as needed) Notes for DELAYED costs Avoided Costs	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	0.0 to provide of the v	\$0 de all customers of iolation to the date	the water supply will of compliance.	\$0 th a boil water costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	to provide of the ventering	\$0 de all customers of iolation to the date item (except for \$0 \$0	the water supply who of compliance.	\$0 th a boil water costs)
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	to provide of the ventering	\$0 ie all customers of iolation to the date item (except for \$0 \$0	the water supply who of compliance. one-time avoided of \$0 \$0	\$0 th a boil water costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	to provide of the ventering	\$0 ie all customers of iolation to the date item (except for \$0 \$0 \$0	the water supply with of compliance. one-time avoided of \$0 \$0 \$0	\$0 th a boll water costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	to provide of the ventering	\$0 de all customers of folation to the date item (except for \$0 \$0 \$0 \$0 \$0	the water supply will of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	\$0 th a boil water costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	0.0 to provice of the ventering 0.0 0.0 0.0 0.0 0.0 0.0	\$0 de all customers of iolation to the date is in the later is	the water supply will of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	\$0 th a boil water costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	0.0 to provice of the v ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 de all customers of iolation to the date is in the date	the water supply will of compliance. sone-time avoided compliance. \$0 \$0 \$0 \$0 \$0 \$0	\$0 th a boil water costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	0.0 to provice of the ventering 0.0 0.0 0.0 0.0 0.0 0.0	\$0 de all customers of iolation to the date is in the later is	the water supply will of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	\$0 th a boil water costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	0.0 to provice of the v ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 de all customers of iolation to the date is in the date	the water supply will of compliance. sone-time avoided compliance. \$0 \$0 \$0 \$0 \$0 \$0	\$0 th a boil water costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	0.0 to provice of the v ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 de all customers of iolation to the date is in the date	the water supply will of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 th a boll water costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	0.0 to provice of the v ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 de all customers of iolation to the date is in the date	the water supply will of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 th a boll water costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	0.0 to provice of the v ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 de all customers of iolation to the date is in the date	the water supply will of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 th a boll water costs) \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The delayed	cost includes the a notice, calcula	mount necessary ated from the date	0.0 to provice of the v ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 de all customers of iolation to the date is in the date	the water supply will of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 th a boll water costs) \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	2-Jul-2007 Docket No. 2007-1056-PWS-E	PCW
		Revision 2 (September 2002)
Case ID No.		PCW Revision June 26, 2007
Reg. Ent. Reference No.		
	Public Water Supply	
Enf. Coordinator Violation Number		
Rule Cite(s)	5	\neg
raic offe(s)	30 Tex. Admin. Code § 290.46(j)	
Violation Description	Failed to issue a customer service inspection certificate prior to providing continuous water service. Specifically no inspection was performed on a new construction resident on County Road 2403 and after extensive plumbing renovations at 1382 County Road 2403.	ce
	Base Penal	ty \$1,000
>> Environmental, Property a	nd Human Health Matrix	
Release	Harm Maior Moderate Minor	
OR Actual Potential	Major Moderate Minor Percent 0%	Transported and American Control of the Control of
>>Programmatic Matrix		
Falsification	Major Moderate Minor	
	X Percent 10%	
Matrix Notes	Failed to meet 100% of the rule requirement.	Annual Control of the
	Adjustment \$9	00
		\$100
Violation Events		
Number of Vio	lation Events 2 42 Number of violation days	000400404404000
	daily	
	monthly	
mark only one with an х	quarterly Violation Base Penal semiannual	ty \$200
	annual single event x	
Ir.		 1
	Two single events are recommended, one for each home.	A TOTAL CONTRACTOR OF THE PARTY
Economic Benefit (EB) for thi	s violation Statutory Limit Test	Tarin - C. A. E. Da
Estimated	EB Amount \$20 Violation Final Penalty Tot	al \$210
	This violation Final Assessed Penalty (adjusted for limit	s) \$210

		ites Water System	ાં કેં પ્રા	1573.5441	h esetición de	and the same of	
Case ID No.							· ·
Reg. Ent. Reference No.							
	Public Water S	supply				Percent Interest	Years of
Violation No.	5	Destruire to a secondary of the	and the second second	CONTRACTOR			Depreciation
	1.0					5.0	. 15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description			m - 191.00				计算计量
	INO COMINGS OF W					<u> </u>	NO CONTRACTOR CONTRACTOR
Delayed Costs				75 THE	Maria de la companya		STATE OF THE STATE
Equipment				0.0	\$0	\$0	\$0
Buildings	2 4 0 1 2 2 2 2 2		100 100 WHEN THE	0.0	\$0	\$0	\$0
Other (as needed)	1 1 1 1 1 1 1 1 1		or exercise the construction	0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$600	21-May-2007	18-Jan-2008	0.7	\$20	n/a	\$20
Training/Sampling				0,0	\$0	n/a	\$0
Remediation/Disposal				0,0	\$0	n/a	\$0
Permit Costs				0.0	\$0	∴ n/a = = ÷	\$0
Other (as needed)				0.0	\$0	n/a	\$0
li li		enete Include the am	ount to complete	and ma	Intain conies of Cu	etomor Sandos Incr	action reports
Notes for DELAYED costs		calculated from th	e date of the inve	stigation	to the estimated	ustomer Service Insp date of compliance.	
Avoided Costs			e date of the inve	stigation ntering	to the estimated	date of compliance.	osts)
Avoided Costs Disposal		calculated from th	e date of the inve	stigation	to the estimated Item (except for \$0	date of compliance. one-time avoided c	osts) \$0
Avoided Costs Disposal Personnel		calculated from th	e date of the inve	ntering 0.0 0.0	item (except for \$0 \$0	one-time avoided c	osts) \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling		calculated from th	e date of the inve	ntering 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0	date of compliance. one-time avoided c \$0 \$0 \$0 \$0	sots) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment		calculated from th	e date of the inve	ntering 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0	one-time avoided o	osts) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Suppiles/equipment Financial Assurance [2]		calculated from th	e date of the inve	ntering 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	date of compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
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Screening Date 2-Jul-2007 Docket	No. 2007-1056-PWS-E	PCW
Respondent Tall Oaks Estates Water System	Policy Revision 2	(September 2002)
Case ID No. 34103	PCW Revi	sion June 26, 2007
Reg. Ent. Reference No. RN101228609		Woodpaniero
Media [Statute] Public Water Supply		power
Enf. Coordinator Tel Croston Violation Number 6		
P. I. 0'(-(a)		
30 Tex. Admin. Code § 290.46(e)(4)(A) and Tex.	Health & Safety Code § 341.033(a)	ocari
Violation Description Failed to ensure that the public water supply opera a water works operator who holds a mini		
	Base Penalty	\$1,000
>> Environmental, Property and Human Health Matrix Harm		
Release Major Moderate Minor		
OR Actual	<u> </u>	
Potential x	Percent 25%	and the same of th
>>Programmatic Matrix		
Falsification Major Moderate Minor		
	Percent 0%	
Matrix Notes Without a licensed water works operator managing the facility, supply could result in customers of the water supply being expected levels that are protective of hu	posed to contaminants which would	
	Adjustment \$750	
		\$250
Violation Events		**
Number of Violation Events 2 42	Number of violation days	
daily monthly x mark only one quarterly	Violation Base Penalty	, \$500
with an x semiannual annual single event		
Two monthly events are recommended from the date of the invescreening, July 2, 2007.	stigation, May 21, 2007, to the date of	
Economic Benefit (EB) for this violation	Statutory Limit Test	
Estimated ED Association (6400)	Violetias Final Danalt . Tatal	⊕EQE.
Estimated EB Amount \$489	Violation Final Penalty Total	\$525
This violation Final As	ssessed Penalty (adjusted for limits)	\$525

Kesnondent	Committee Street Street Street Street	conomic l		VI 1170			
		tes Water System				No real Charles	
Case ID No.							
Reg. Ent. Reference No.					F 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	<u>, 19 100 294777</u>	of the sec
. Media Violation No.	Public Water S 6	upply				Percent Interest	Years of Depreciation
				: W. H	Ada di Santa	5.0	t, 1 5
Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs			STATE OF STATE			All Charles de Service	
Equipment	in the same of the same of the same			0.0	\$0	\$0	\$0
Buildings	grand transfer and the standard	F	TOTAL THIRD W. SHEET	0.0	\$0	\$0	.i. \$0
Other (as needed)	\$10,000	21-May-2007	31-Jan-2008	0.7	\$23	\$466	\$489
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System			The control of the co	0.0	\$0	∜∉ n/a	\$0
Training/Sampling				0.0	\$0	'n/a	\$0
Remediation/Disposal	Secretaria de la composição de la compos			0.0	\$0	n/a	\$0
Permit Costs			and and become a self-recording to the self-	0.0	\$0	in/a	\$0
Other (as needed)	Address and the same of			0.0	\$0	n/a	\$0.
						east a Class."D" lice	ioo, caicalatoa
Notes for DELAYED costs Avoided Costs	ΔΝΚ	addages	AND ACTION LEADING TOP,	Part out of	e estimated date	And Chapter in the White works	osts)
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Compliance History

Customer/Respondent/Owner-Operator:

CN600668727

Tall Oaks Estates Water System

Classification:

Rating:

Regulated Entity:

RN101228609

TALL OAKS ESTATES WATER

Classification:

Site Rating:

SYSTEM

ID Number(s):

PUBLIC WATER SYSTEM/SUPPLY

REGISTRATION

WATER LICENSING

LICENSE

2340033 2340033

Location:

1812 COUNTY ROAD 2403, Van Zandt County, TX, 75103

TCEQ Region:

REGION 05 - TYLER

Date Compliance History Prepared:

June 26, 2007

Agency Decision Requiring Compliance History:

Enforcement

Compliance Period:

June 26, 2002 to June 26, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:

Tel Croston

239-5717

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?

Yes

2. Has there been a (known) change in ownership of the site during the compliance period?

No

3. If Yes, who is the current owner? 4. if Yes, who was/were the prior owner(s)? N/A

N/A

5. When did the change(s) in ownership occur?

N/A

Components (Multimedia) for the Site:

Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

Any criminal convictions of the state of Texas and the federal government. В.

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

Ε. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 01/03/2005

(343724)

Self Report?

Classification:

Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)

Description:

Failure to prevent entry of animals, insects and rain water contamination in proposed

Self Report? NO Classification:

Minor

Citation:

30 TAC Chapter 288, SubChapter B 288.20[G] Failure to provide a copy of an adopted drought contingency plan.

Description: Self Report? NO

Classification:

Minor

Moderate

Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.42(k)

Failure to provide a Plant Operations Manual.

Minor

Description: Self Report?

NO

Classification:

Citation: Description: 30 TAC Chapter 290, SubChapter F 290.121[G]

Classification:

Self Report? NO

Failure to provide a Monitoring Plan.

Citation: 30 TAC Chapter 290, SubChapter D 290.46(e)(4)(A) Failure to employ an operator with a Class "D" water license. Description:

Classification:

Self Report? NO Citation:

30 TAC Chapter 290, SubChapter F 290.110(e)(4)

Failure submit to TCEQ a copy of the Disinfectant Level Quarterly Operating Report Description:

form.

Classification: Moderate Self Report? NO 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(i) Citation: 5A THC Chapter 341, SubChapter A 341.0315[G] Failure to meet a well capacity of 1.5 gallons per minute (gpm) per connection for Description: systems without ground storage. Self Report? NO Classification Moderate 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(A)(ii) Citation: 5A THC Chapter 341, SubChapter A 341.0315[G] Description: Failure to meet a pressure tank capacity of 50 gallons per connection for systems without ground storage. Self Report? NO Classification Moderate 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F) Citation: 5A THC Chapter 341, SubChapter A 341.036[G] Description: Failure to obtain sanitary control easements surrounding well #1 and well #2. NO Classification Moderate Self Report? 30 TAC Chapter 290, SubChapter D 290,41(c)(3)(J) Citation: Fallure to repair the cracked concrete sealing block surrounding well #1. Description: Classification Minor Self Report? NO 30 TAC Chapter 290, SubChapter D 290.46(v) Citation: Failure to secure and encase well #1's electrical wiring in conduit. Description: Self Report? NO Classification Moderate 30 TAC Chapter 290, SubChapter D 290.43(d)(3) Citation: Failure to provide the 350 gallon pressure tank with facilities for maintaining the air-Description: water volume at the design water level and working pressure. Classification Self Report? NO Minor 30 TAC Chapter 290, SubChapter D 290.46(f)[G] Citation: Failure to compile and maintain monthly operating reports to include the volume of Description: water treated each week, complaints, and flushing reports. N/A

F. Environmental audits.

Type of environmental management systems (EMSs). G.

N/A

Voluntary on-site compliance assessment dates. Η.

Participation in a voluntary pollution reduction program. 1.

N/A

Early compliance. J.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
TALL OAKS ESTATES WATER	§	TEXAS COMMISSION ON
SYSTEM	§	
RN101228609	§	•
	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2007-1056-PWS-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Tall Oaks Estates Water System ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

- 1. The Respondent operates a public water supply at 1812 County Road 2403, in Van Zandt County, Texas (the "Facility") that has approximately 45 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 3. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about June 20, 2007.
- 4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 5. An administrative penalty in the amount of One Thousand Three Hundred Twelve Dollars (\$1,312) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Thousand Fifty Dollars (\$1,050) of the administrative penalty and Two Hundred Sixty-Two Dollars (\$262) is deferred contingent upon

the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

- 6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 7. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 8. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 9. The Executive Director recognizes that the Respondent issued a boil water notice to all customers after 5:00 p.m. on May 21, 2007.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As operator of the Facility, the Respondent is alleged to have:

- 1. Failed to meet the minimum well capacity requirement of 1.5 gallons per minute ("gpm") per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(A)(i) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during an investigation conducted on May 21, 2007.
- 2. Failed to meet a pressure tank capacity of 50 gallons per connection for a water system without ground storage, in violation of 30 Tex. ADMIN. CODE § 290.45(b)(1)(A)(ii) and Tex. Health & Safety Code § 341.0315(c), as documented during an investigation conducted on May 21, 2007.
- 3. Failed to provide a sanitary control easement or an approved exception to the easement requirement that covers the land within 150 feet of the water system's wells, in violation of 30 Tex. Admin. Code § 290.41(c)(1)(F), as documented during an investigation conducted on May 21, 2007.
- 4. Failed to issue a boil water notice within 24 hours after the loss of distribution pressure, in violation of 30 Tex. ADMIN. CODE § 290.46(q)(2) and Tex. Health & Safety Code § 341.036. Specifically, distribution pressure was lost at approximately 5:00 p.m. on May 20, 2007. Boil water notice was not issued until after 5:00 p.m. on May 21, 2007, as documented during an investigation conducted on May 21, 2007.

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- 5. Failed to issue a customer service inspection certificate prior to providing continuous water service, in violation of 30 Tex. ADMIN. CODE § 290.46(j), as documented during an investigation conducted on May 21, 2007.
- 6. Failed to ensure that the public water supply operation is under the direct supervision of a water works operator who holds a minimum of a Class "D" license, in violation of 30 Tex. ADMIN. CODE § 290.46(e)(4)(A) and Tex. Health & Safety Code § 341.033(a), as documented during an investigation conducted on May 21, 2007.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Tall Oaks Estates Water System, Docket No. 2007-1056-PWS-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order, begin completing service inspection certifications prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other unacceptable plumbing practices exist, or after any material improvement, correction, or addition to the private plumbing facilities, as required by 30 Tex. Admin. Code § 290.46.
 - b. Within 30 days after the effective date of this Agreed Order,
 - i. Submit written certification as described in Ordering Provision 2.e. below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a.; and
 - ii. Employ a water works operator who holds a minimum of a Class "D" license, in accordance with 30 TEX. ADMIN. CODE § 290.46.

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- c. Within 60 days after the effective date of the Agreed Order:
 - i. Submit written certification of compliance as described below in Ordering Provision 2.e., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.b.ii., and;
 - ii. Obtain sanitary control easements covering all property within 150 feet of each well location from adjacent landowners and record the deeds at the county courthouse, as required by 30 Tex. ADMIN. CODE § 290.41.
- d. Within 90 days after the effective date of the Agreed Order:
 - i. Submit written certification of compliance as described below in Ordering Provision 2.e., and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.c.ii.;
 - ii. Provide a well capacity of 1.5 gpm at the Facility, in accordance with 30 TEX. ADMIN. CODE § 290.45; and
 - iii. Provide a pressure tank capacity of 50 gallons per connection at the Facility, in accordance with 30 Tex. ADMIN. CODE § 290.45.
- e. Within 105 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.d.ii. and 2.d.iii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

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The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Mr. Noel Luper, Water Section, Manager Tyler Regional Office Texas Commission on Environmental Quality 2916 Teague Drive Tyler, Texas 75701-3756

- 4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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Tall Oaks Estates Water System DOCKET NO. 2007-1056-PWS-E Page 6

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

the Executive Director

I the undersigned, have read and understand the attached Agreed Order. I am a thorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature

Name (Printed or typed)

Authorized Representative of

Tall Oaks Estates Water System

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order

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